

Message Text

CONFIDENTIAL

PAGE 01 STATE 312026
ORIGIN ORM-02

INFO OCT-01 ARA-06 IO-13 ISO-00 DHA-02 INSE-00 SY-05 L-03
CIAE-00 INR-07 NSAE-00 VO-03 SCA-01 FBIE-00 SS-15
NSC-05 SSO-00 NSCE-00 INRE-00 /063 R

DRAFTED BY D/HA/ORM:LARTHUR:ND
APPROVED BY D/HA/ORM:JLCARLIN
ARA/APV - MR. GRAHAM (DRAFT)
ARA/BC - MR. DRISCOLL (INFO)
INS/CO - MR. BROBSON (INFO)
-----282206Z 014309 /73

O R 282140Z DEC 76
FM SECSTATE WASHDC
TO AMEMBASSY ASUNCION IMMEDIATE
USMISSION GENEVA IMMEDIATE
INFO AMEMBASSY SANTIAGO

C O N F I D E N T I A L STATE 312026

E.O. 11652: GDS

TAGS: SREF, CI, PA (RICARDO IGNACIO GOMILA VERGARA)

SUBJECT: CHILEAN ASYLUM SEEKER

REF: ASUNCION 5277

1. REFTTEL HAS BEEN REPEATED TO GENEVA PER STATE 309214.
 2. WE HAVE CONSISTENTLY HELD THE OPINION THAT ASYLUM IS THE RIGHT AND RESPONSIBILITY OF THE COUNTRY IN WHICH THE REQUEST IS MADE. THIS THEN IS ESSENTIALLY A PARAGUAYAN/CHILEAN PROBLEM. PARAGUAY IS A SIGNATORY TO THE CONVENTION AND PROTOCOL RELATING TO THE STATUS OF REFUGEES WHICH IMPOSE CERTAIN OBLIGATIONS INCLUDING THE PROHIBITION AGAINST THE EXPULSION OF A REFUGEE TO A COUNTRY WHERE HIS LIFE OR
- CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 312026

FREEDOM WOULD BE THREATENED ON ACCOUNT OF RACE, RELIGION, NATIONALITY, MEMBERSHIP OF A PARTICULAR SOCIAL GROUP, OR POLITICAL OPINION. WHILE WE WOULD BE SYMPATHETIC TO HIS DESIRE NOT TO RETURN TO CHILE IF SUCH A FEAR OF PERSECUTION IS INVOLVED, THE UNHCR IS RESPONSIBLE FOR THE PROTECTION OF REFUGEES AGAINST FORCIBLE RETURN (REFOULEMENT).

3. WE HAVE INFORMALLY DISCUSSED CASE WITH INS/CO. THERE DOES NOT APPEAR TO BE ANY POSSIBILITY FOR PAROLE CONSIDERATION FOR GAMILA VERGARA AT THIS TIME. THEREFORE, UNLESS HE

CAN OTHERWISE QUALIFY FOR U.S. IMMIGRANT VISA, HIS BEST ALTERNATIVE APPEARS TO BE UNHCR RESETTLEMENT ASSISTANCE.

4. FOR GENEVA: U.S. MISSION IS REQUESTED TO ADVISE UNHCR OF THIS CASE. WHILE AMEMBASSY ASUNCION BELIEVES THAT FORCIBLE RETURN TO CHILE IS UNLIKELY BUT POSSIBLE, UNHCR'S GOOD OFFICES MAY BE SUFFICIENT TO PREVENT REFOULEMENT BY GOP. ADDITIONALLY, UNHCR MAY BE ABLE TO OBTAIN THIRD COUNTRY PLACEMENT, SUCH AS FRANCE OR ITALY WHERE GAMILA VERGARA HAS RELATIVES.

5. PLEASE KEEP DEPARTMENT ADVISED OF STATUS OF THIS CASE.

ROBINSON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL ASYLUM
Control Number: n/a
Copy: SINGLE
Draft Date: 28 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE312026
Document Source: CORE
Document Unique ID: 00
Drafter: LARTHUR:ND
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760474-0412
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976129/aaaaahiu.tel
Line Count: 80
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ORM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 ASUNCION 5277
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 17 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 MAY 2004 by woolflhd>; APPROVED <02 SEP 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CHILEAN ASYLUM SEEKER
TAGS: SREF, CI, PA, (GOMILA VERGARA, RICARDO IGNACIO)
To: ASUNCION GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006